

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GEORGE SIEPEL; PHYLLIS SIEPEL; H.)
CRAIG WILLIAMS; ELINOR TAMA)
WILLIAMS; CONSTANCE ELAINE)
WILLIAMS; DONNA N. REINKE; ROBERT)
COHEN; CARL M. PAGE and all others)
similarly situated,)
Plaintiffs,)) Case No. 4:05-CV-2393 (PAM)
v.)
BANK OF AMERICA, N.A.; COLUMBIA)
FUNDS SERIES TRUST f/k/a NATIONS)
FUNDS TRUST; and BANK OF AMERICA)
CORPORATION,)
Defendants.)

ELLEN JANE KUTTEN, individually and)
on behalf of her daughters and)) Case No. 4:04-CV-244 (PAM)
MARY ANN ARNOLD and)
ELSIE MAHLER SCHARFF,)
on behalf of themselves and all others)
similarly situated,)
Plaintiffs,))
v.)
BANK OF AMERICA, N.A. and)
BANK OF AMERICA CORPORATION,)
Defendants.)

ELLEN JANE KUTTEN, individually,)
and on behalf of her daughters and)
MARY ANN ARNOLD,) Case No. 4:06-CV-0937 (PAM)
ELSIE MAHLER SCHARFF,)
on behalf of themselves,)
and all others similarly situated,)
)
Plaintiffs,)
)
v.)
)
BANK OF AMERICA, N.A. and)
BANK OF AMERICA CORPORATION,)
)
Defendants.)

STIPULATED CONSENT DECREE

In accordance with the terms of a settlement entered into between Plaintiffs and their attorneys in these matters and Defendants, Attorneys Richard D. Greenfield and Steven M. Hamburg, in their individual capacities and on behalf of their respective law firms Greenfield & Goodman LLC and Summers, Compton, Wells and Hamburg PC, do hereby stipulate, consent and agree to the entry of the following Consent Decree, and the Court therefore makes this Consent Decree an Order of Court and enters the following:

(1) Attorneys Greenfield and Hamburg, in their individual capacities and on behalf of their law firms, are hereby ENJOINED and shall not file any additional litigation against Defendants or their affiliates in the United States asserting claims arising out of the investment of trust assets in affiliated mutual funds for which Bank of America, N.A. (the "Bank") or an affiliate (including a predecessor or successor) serves or served as trustee without first seeking leave of this Court. In seeking leave of court, Attorneys Greenfield and Hamburg shall provide a copy of the proposed complaint to the Court and to counsel of record in these actions for Defendants, shall provide a verification of the facts alleged in the proposed complaint to be filed

under penalty of perjury, and explain in a motion why the proposed complaint does not constitute further forum shopping;

(2) Attorneys Greenfield and Hamburg, in their individual capacities and on behalf of their law firms, are **DISQUALIFIED** from participating in any way in litigation against Defendants or their affiliates in the United States asserting claims arising out of the investment of trust assets in affiliated mutual funds for which the Bank or an affiliate (including a predecessor or successor) serves or served as trustee, including but not limited to, appearing as counsel of record in such matters, representing the plaintiffs in *Stoody-Broser v. Bank of America, N.A.*, No. 08-2705 (N.D. Cal.) or any future actions as counsel, sharing, discussing or providing information learned from prior litigation against Defendants with anyone, and/or consulting in any way with plaintiffs' counsel in any future actions, without seeking leave of this Court;

(3) Attorneys Greenfield and Hamburg, in their individual capacities and on behalf of their law firms, are **ORDERED** to certify to the Court within 30 days from the date of this Consent Decree that they have not retained the original or copies of any discovery information, including all documents, discovery responses from Defendants and deposition transcripts of any former or current employee of Defendants, provided by Defendants in these cases or the prior cases outlined in this Court's dismissal opinion entered in *Siepel v. Bank of America, N.A.*, Case No. 4:05-CV-2393; and

(4) Attorneys Greenfield and Hamburg, in their individual capacities and on behalf of their law firms, are **ORDERED** to comply with the protective order entered by this Court in *Kutten v. Bank of America, N.A.*, Case No. 4:04-CV-244.

(5) The court retains jurisdiction of this matter for purposes of enforcing this consent decree. These actions, pursuant to agreement of the parties, are dismissed.

AGREED AND CONSENTED TO BY:

s/Steven M. Hamburg

Steven M. Hamburg
Summers, Compton, Wells & Hamburg PC
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s/Richard D. Greenfield

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IT IS SO ORDERED, this 14th day of January, 2009.

s/Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge